

No. 2022-2180

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IN THE  
**United States Court of Appeals**  
**FOR THE FEDERAL CIRCUIT**

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GROUP III INTERNATIONAL, INC.,

*Appellant,*

v.

TARGUS INTERNATIONAL LLC,

*Appellee.*

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APPEAL FROM THE U.S. PATENT OFFICE, PATENT TRIAL AND APPEAL BOARD  
No. IPR2021-00371

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**APPELLEE TARGUS INTERNATIONAL LLC'S  
UNOPPOSED MOTION TO DISMISS**

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Pursuant to Federal Circuit Rule 27(f), Appellee Targus International LLC respectfully brings this unopposed motion to dismiss this appeal for failure to prosecute the appeal. On May 2, 2023, Targus conferred with Appellant Group III International, Inc., who stated that “Group III does not oppose Targus’ motion to dismiss the appeal.”

The parties filed opening and responsive appeal briefs. Dkt. 14, 17. Group III’s deadline to file its reply brief was March 20, 2023, but it asked for an

extension up to and including April 3, 2023 to submit its reply. Dkt. 18 at 1. The clerk granted Group III's motion, but gave Group III several extra weeks—until April 24, 2023. 3/17/2023 Text Order.

Group III's April 24, 2023 extended deadline has now come and gone. Group III has filed neither a reply brief nor an appendix. *See* Fed. Cir. R. 30(a)(2) (“[I]f the appellant does not file a reply brief, the appendix must be served and filed within the time for filing the reply brief.”).

In light of Group III's failure to prosecute this appeal, Targus respectfully requests dismissal of Group III's appeal. *See, e.g.*, Fed. R. App. P. 31(c) (“If an appellant fails to file a brief within the time provided by this rule, or within an extended time, an appellee may move to dismiss the appeal.”); Fed. Cir. R. 30(a)(5) (“If the appellant fails to file the appendix, the clerk of court is authorized to dismiss the case.”); Fed. Cir. R. 45(a).

Accordingly, Targus respectfully requests that the Court dismiss this appeal.

Respectfully submitted,

ARMOND WILSON LLP

Dated: May 2, 2023

By: /s/ Michelle E. Armond  
Michelle E. Armond  
Douglas R. Wilson  
Joseph Li

Patrick Maloney

*Attorneys for Appellee*  
TARGUS INTERNATIONAL LLC

**CERTIFICATE OF INTEREST**

Counsel for Appellee Targus International LLC hereby certifies the following:

1. The full name of every entity represented in the case by the counsel filing the certificate:

Targus International LLC

2. For each entity, the name of every real party in interest, if that entity is not the real party in interest:

Not Applicable

3. For each entity, that entity's parent corporation(s) and every publicly held corporation that owns ten percent (10%) or more of its stock:

Tiger U.S. Holdings, Inc.; B. Riley Principal Investments, LLC; and B. Riley Financial, Inc.

4. The names of all law firms and the partners or associates that have not entered an appearance in the appeal, and (a) appeared in the lower court tribunal; or (b) are expected to appear for the entity in this court:

Forrest M. McClellen

5. Other than the originating case number(s), the title and number of any case known to counsel to be pending in this or any other court or agency that will directly affect or be directly affected by this court's decision in the pending appeal:

None

6. All information required by Federal Rule of Appellate Procedure 26.1(b) and (c) that identifies organizational victims in criminal cases and debtors and trustees in bankruptcy cases:

Not Applicable

ARMOND WILSON LLP

Dated: May 2, 2023

By: /s/ Michelle E. Armond  
Michelle E. Armond

*Attorney for Appellee*  
TARGUS INTERNATIONAL LLC

**CERTIFICATE OF COMPLIANCE**

1. This brief complies with the type-volume limitation of Federal Rule of Appellate Procedure 27(d)(2). This brief contains 256 words, excluding the parts of the brief exempted by Federal Rule of Appellate Procedure 27(a)(2)(B).
2. This brief complies with the typeface requirements of Federal Rule of Appellate Procedure 32(a)(5) and the type style requirements of Federal Rule of Appellate Procedure 32(a)(6). This Brief has been prepared in a proportionally spaced typeface using Microsoft Word in 14-point Times New Roman font.

ARMOND WILSON LLP

Dated: May 2, 2023

By: /s/ Michelle E. Armond  
Michelle E. Armond

*Attorney for Appellee*  
TARGUS INTERNATIONAL LLC